

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONALD LEGRAND

Plaintiff

v.

PPL SUSQUEHANNA, LLC

Defendant

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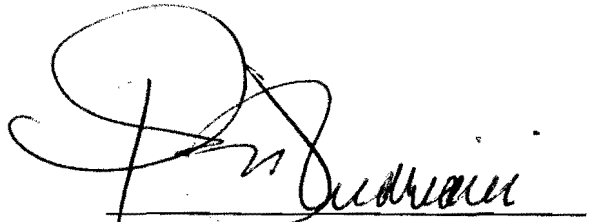
3:12-CV-238
(JUDGE MARIANI)

ORDER

AND NOW, THIS 1ST DAY OF MAY, 2015, upon consideration of Defendant's motion for summary judgment (Doc. 28) and all accompanying briefs, *de novo* review of Magistrate Judge Carlson's Report and Recommendation (Doc. 49), and consideration of Defendant's Objections thereto (Docs. 50, 51) and Plaintiff's response (Doc. 52), **IT IS HEREBY ORDERED THAT:**

1. Defendant's Objections (Docs. 50, 51) are **SUSTAINED IN PART** and **DENIED IN PART**.
2. The Report and Recommendation (Doc. 49) is **ADOPTED IN PART** and **OVERRULED IN PART**.
3. Defendant's motion for summary judgment (Doc. 28) is **GRANTED IN PART** and **DENIED IN PART**; to wit:

- a. Defendant's motion for summary judgment is **GRANTED** as to Count I of Plaintiff's Complaint and judgment is entered **IN FAVOR** of Defendant PPL Susquehanna LLC and **AGAINST** Plaintiff Donald LeGrand.
 - b. Defendant's motion for summary judgment is **DENIED** as to Counts III and IV, but only to the extent that there remains an issue of fact as to whether Plaintiff's termination was the result of a discriminatory refusal to allow him to participate or enroll in LOC 24.
4. A telephone scheduling conference will be held on **Wednesday, May 6, 2015, at 2:15 p.m.** to select dates for a pre-trial conference and for jury selection. Counsel for Plaintiff is responsible for arranging the call to (570) 207-5750, and all parties should be ready to proceed before the undersigned is contacted



Robert D. Mariani
United States District Judge